

**City of Milpitas**  
**Unapproved Minutes**  
**Telecommunications Commission**  
**August 21, 2006**

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**I. Call to Order & Roll Call:**

Telecommunications Commissioner Chair Albert Alcorn called the meeting to order.

Members Present: R. Shaw, D. Gupta, S. Bilgrami, V. Mathur, A. Alcorn, N. Gupta, I. Munir, S. Bansal

I.S. Staff: B. Marion, E. Pasion City Council: A. Gomez

Members Absent: P. Peterson, W. Lam, A. Ettinger

**II. Pledge of Allegiance:**

The members recited the pledge of allegiance.

**III. Announcements:**

No announcements made for the record.

**IV. Approval of the Agenda:**

Approve the agenda as submitted.

M/S     D. Gupta / R. Shaw                     Ayes:    8

**V. Approval of the Minutes  
June 19 & July 17 2006**

Members reviewed and approved the minutes as submitted.

M/S     D. Gupta / R. Shaw                     Ayes:    8

**VI. Citizen's Forum**

No public comments were made for the record.

**VII. Continued-New Business:**

**1. Amber Networks.**

Staff provided a brief summary of the Amber Networks proposal to deploy its Pico/Nano cell site technology in the Milpitas area. Roger Haas, vice president of Amber Networks, provided detailed information on its proposed cell network. The deployment of the Pico/Nano technology is being installed in office buildings and commercial shops. The technology would fill in areas not serviced by existing cellular coverage in addition to being installed on top of existing telephone booths. The technology would provide needed cellular network coverage for existing commercial cellular providers that do not have available coverage in the Milpitas area.

Chair Alcorn asked of the power output of the Pico/Nano cell sites. Mr. Haas noted the power output would be equal of existing cellular phone currently being sold to consumers. Commission Mathur asked of the interference with the city's WiFi network. Mr. Haas

noted that it operates on a licensed spectrum that would not impeded on the city's wireless network.

Momo Inshijima, with the city's planning department, added that the planning department was seeking input from the Commission whether a review is necessary for this type of application and deployment of wireless technology in the Milpitas.

Commissioner Mathur noted consumers wanting to boost home cellular coverage within a residence might use this type of wireless technology. Mr. Haas noted that in the near future there would be consumer products available for provide boost coverage.

Bill Marion, Information Services Director, noted that the technology equipment meeting certain power and output criteria may not require a formal review by the Commission. Discussion may need to be planned to better understand the impact of such technology.

Chair Alcorn added that the radiation levels are so low that it doesn't require any formal review. He requested to further discuss on the low level of technology for the September meeting.

Commissioner D. Gupta needed clarification of the technical questionnaire. Mr. Haas note that the questionnaire Pico/Nano technology operated in an omni-directional pattern and questions 8, 9 and 10 on the technical questionnaire were non applicable. With that, Chair Alcorn suggested that the commission approve the Amber Networks proposal with the condition of the completion of the technical questionnaire for the city records.

Motion to approve the Amber Networks contingent on the updating of the technical questionnaire as needed.

M/S V. Mathur / D. Gupta Ayes: 8

## 2. Metro PCS 1350 S Park Victoria Dr.

Momo Inshijima with the city's planning staff provided a summary of a request from Metro PCS to install six cellular panel antennas on an existing business rooftop at 1350 South Park Victoria drive. The six panel antennas would be installed behind a screened mess material that would not hinder its cellular transmission capabilities.

Commissioner Mathur asked of the coverage area for the Metro PCS installation. Mr. Jon Schwartz, representing Metro PCS, noted that the cellular technology being installed at 1350 South Park Victoria would provide a coverage area of a mile to a mile and a half and operate on 1.9-gigahertz frequency. Metro PCS has requested to install a total of six panel antennas on the rooftop. The initial installation will involve three

panel antennas with a planned deployment of six antennas, as it is needed in the future. Each cellular panel antennas can handle a total of 96 calls at any given time. Metro PCS operates another antennas on the rooftop of the Crown Plaza hotel, one at Milpitas high school and another in the northern section of Milpitas.

Chair Alcorn requested that the applicant include the placement of notification placards at the fire control panel and access to the rooftop. He also requested staff to review the technical questionnaire to see if it specifically states the needed requirement for including notifications of radiation hazards and placement of such notices at the fire control panel and the rooftop.

Mr. Schwartz added that the information is available online if the Commission wishes to review the require practices and application for any future projects of this type in the future. He also added that it is an industry to provided information regarding existing cellular radiation hazard. Additionally, the Federal Communications Commission has established guidelines, PART 97 and PART 15, that may aid the application and review process.

Motion to approve the application and forward to the planning commission.

M/S      N. Gupta / D. Gupta                      Ayes: 8

### 3. Telecom Attendance.

The Chair requested discussion of the current attendance requirements for the Commission's meetings. Chair Alcorn was concerned of the lack of attendance of recent meetings. Commissioner D. Gupta noted that "excused" attendance was in place allowing Commissioners to email an "excused" request of non-meeting attendance to city staff, which is currently in use.

Chair Alcorn cited the Commission's By-Laws section 11 and it states amending the Commission's By-Laws by a simple majority of the commission subject to City Council approval. The Chair and Commissioners requested to update the By-Laws for discussion by the entire group at the September meeting then consider possible adoption by the October meeting. Draft language regarding attendance of meetings would be given for the Commission's discussion at the September meeting. Staff would be look at other commissions' attendance languages. The Commission also discussed the role of the MUSD representative and it overall impact to the group.

Commissioner Bilgrami asked of the procedure of rescheduling or canceling meetings in advanced of a prior meeting. Staff noted that commission meetings have been canceled in advanced by the vote of the

Commission. Chair noted that the Commission has canceled meetings in the past and have taken it into consideration. The Commissioners noted it was a concern that vacation and holiday schedules do have impacts on the Commission meeting schedules.

Commissioner D. Gupta reiterated that total number of "unexcused consecutive" attendances. The Commissioners noted that total of three "unexcused consecutive" attendances or six total "unexcused" in a year would warrant notification of interest of attendance and courtesy to the Commission and staff. Commissioner Bilgrami asked of the cutoff period of request for "unexcused" attendance. Staff noted it would best if notification would be done as soon as possible before a scheduled commission meeting.

Chair Alcorn noted that this would be sufficient for additional discussion for the September meeting. He added that the Commission should meet the minimum quorum requirements. Once again, the Commission would review the draft definition language and actions of an "unexcused" attendance and review the other city commission By-Laws.

Motion to note, receipt and file.

M/S N. Gupta / D. Gupta

Ayes: 8

#### 4. PEG Studio Update Report.

Commissioners D. Gupta, Shaw and Bilgrami presented to the group its completed draft documents for the public access studio user procedures document and policies and procedures and studio use document. They reported that a request to Comcast has been submitted for channel allotment for the future cable public access studio.

Commissioner Shaw presented the studio use procedures and the role of volunteer staff, rules and conduct and use of the studio as well as the use of studio equipment for video production by members of the public. MCTV staff will be made of volunteers and members of the Telecom Commission for guidance. The volunteers will be responsible for the overall use and will be responsible for the operation of the studio. Chair Alcorn requested that out side users be able to provide to the Commission an updated report of its activities and programming. MCTV staff will be providing crossing training to public access users on the use and operation of the studio equipment. A designated approved staff person will oversee the user of the programming of videos. The primary use will be produce videos that will be shown locally in Milpitas by local producers. Requests to show videos will be processed through a review process and can be appealed if denied. Users will be also responsible for the use of the equipment and possible damages.

Commissioners Mathur suggested that user fee be taken for damages to equipment. Staff noted that the City has the ability to go to small claims in the event of damages. Commission D. Gupta noted that concern would need to be added to the policy document language and suggested that Commission Mathur provide some draft language address the matter of damages.

Commissioner Shaw note that the document addresses cancellation of programs and use of the studio with some flexibility for advanced cancellation. Editing and postproduction was also addressed. Report forums and reconfiguration of the studio request forms was also part of the studio use policy.

Commissioner Bilgrami noted the community access website address is [www.Milpitastv.org](http://www.Milpitastv.org) and will be transferred over to the City when it is completed. The will site will have a programming schedule and user schedule that can be added for user flexibility. The studio's equipment and will be listed for scheduling and be accessible online. Registered content users will have access. Once a valid Milpitas resident or sponsor is verified with an email address and it is confirmed the process can start studio access. The user will be able to check on studio use, programming schedule and space availability for video production.

Chair Alcorn suggested that the Commission beta test the website for its overall operational use and flexibility before it published for public access.

Eliren Pasion, Information Services staff, provided update on the construction. Demolition of the room will commence in the week. A request for proposal and bid for the audiovisual equipment has also been placed out for response from vendors and staff is waiting for a formal submittal for equipment costs.

Bill Marion reported that the city has contacted Comcast to request for the additional cable channel for the public access studio. Staff also requested from Comcast the additional outstanding funds to support the public access studio project.

Chair Alcorn noted that once the public access studio channel is available that information be placed on the new channel and invite community members to submit programming.

Staff noted that the timeline for completion has been changed due to construction changes and needed requirements by the building and fire codes. Additional time is needed to plan for the layout and system integration of all the audiovisual equipment for the public access studio. Once all the troubleshooting for the equipment is completed and training is underway staff anticipates a start up for the early January.

Motion to note receipt and file.

M/S N. Gupta / I. Munir

Ayes: 8

5. June and July 2006 I.S. Month Report.

Mr. Marion provided a status report on the Earthlink wireless Internet network being deployed in the Milpitas community. Currently city staff and engineers from Earthlink are establishing key transmitter locations in Milpitas to provide for the base of the Earthlink communications network. The Earthlink Internet network will eventually cover the entire Milpitas community. It is anticipated that the Earthlink wireless Internet network will be operation towards the end of this year. Staff also reported that Metro-FI has also been working with the City in deploying its "free" wireless Internet network in Milpitas but no progress of deployment has been given to date.

The Commission asked of user equipment to improve the signal strength within a home. Staff noted that Earthlink would provide a list of approved end equipment that customers could purchase to improve the wireless Internet signal within a private residence.

Motion to note to receipt and file.

M/S N. Gupta / D. Gupta

Ayes: 8

6. Roundtable Discussion.

Chair Alcorn reiterated the Commission's role in review cellular applications should be that of a technical and safety perspective and advise the planning commission and city council accordingly. He also suggested to Commission and staff to review the planning commission technical questionnaire to include language regarding placement of notification placards for cellular service providers as well as review the FCC's part 97 telecommunications standards and requirements.

Commissioner Bilgrami added that he would like to

Finally, Chair Alcorn asked the Commission to review the preliminary public access website and test it for use and functionality.

**VIII. Adjournment of Meeting**

The meeting was adjourned to the Commission's next meeting of Monday, September 18, 2006.

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